

REMARKS

Applicant files concurrently herewith a Request for Continued Examination (RCE) in response to the final Office Action mailed February 3, 2010 (hereinafter, "Office Action"). In the Office Action, the Examiner rejected claims 31, 32, 34-38, and 40 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,409,514 to Bull (hereinafter, "Bull") in view of Official Notice and an article entitled "Description and Field Test of a Career Development Course for Male Youth Offenders with Disabilities" by Wayne M. Munson (hereinafter, "Munson"); and rejected claim 39 under 35 U.S.C. § 103(a) as being unpatentable over Bull in view of Official Notice and Munson and further in view of an article entitled "How Raytheon Got Into the Training Outsourcing Business" published by Raytheon Company (hereinafter, "Raytheon").

By this Reply, Applicant cancels claims 31, 32 and 34-40, without prejudice or disclaimer of their subject matter, and adds new claims 41-59. Claims 1-30 and 33 were previously canceled. No new matter has been added. Accordingly, claims 41-59 are currently pending.

I. Rejections under 35 U.S.C. § 103(a)

While Applicant traverses the rejections of claims under 35 U.S.C. § 103(a), claims 31, 32 and 34-40 have been canceled thereby rendering the rejections of these claims under § 103(a) moot.

II. New Claims

Applicant submits that the cited art, either taken alone or in any reasonable combination, fails to teach or suggest the recitations of new independent claim 41, including, *inter alia*,

receiving, via a computer system, data regarding subject matter of a course that is to be developed;

receiving, via the computer system, delivery criteria to prioritize delivery of the course, wherein the delivery criteria includes one or more of a course content, a course media type, a student demand, an instructional style, a facilities requirement, and an equipment requirement;

forecasting, via the computer system, future demand for the course based on the delivery criteria;

developing, via the computer system, the course based on the delivery criteria and the forecasted future demand;

providing, via the computer system, the developed course to the members of the organization;

collecting, via the computer system, feedback data after the developed course has been provided to the members of the organization, wherein the feedback data is related to at least one of an instructor and the course content; and

generating, by the computer system, at least one report based on one or more of the delivery criteria, the forecasted future demand, and the feedback data.

Bull fails to disclose or suggest these recitations. Instead, Bull discloses “a method [that includes] scheduling [a] worker for a selected class in response to user input” and “tracking an available class the worker might attend.” Bull, Abstract. In Bull, a “‘selected class’ is a class that the worker must or should take under a given set of criteria” and an “available class’ is one that will be given based on individual worker’s

training needs.” Id. at 3:29-32. In other words, Bull’s methods are directed toward “managing a worker’s training activities” using ***pre-existing courses***. Id. at 3:25-26.

Munson fails to overcome the deficiencies of Bull, as discussed above, and the failure of Bull to teach or suggest the above-quoted recitations of new independent claim 41. Instead, Munson also discloses and describes a pre-existing training course, *i.e.*, “a career development course designed for institutionalized youth offenders with disabilities.” Munson, p. 206, ll. 7-8. “The first portion [of Munson] describes the course . . . by explaining its model, methods and materials.” Id. at p. 206, ll. 9-11. “The second part [of Munson] reports the results of field testing of the course in two juvenile correctional institutions.” Id. at p. 206, ll. 11-12. Such teachings by Munson do not correspond to the recitations of new independent claim 41.

Raytheon fails to overcome the deficiencies of Bull and Munson, as discussed above, and the failure of Bull and Munson to teach or suggest the above-quoted recitations of new independent claim 41. Raytheon merely discloses that “[i]n the 1980s, [Raytheon] launched new system-based curriculum design and training administration services . . .” and “[i]n the 1990s, [Raytheon] expanded into commercial training programs” Raytheon, p. 1.

Therefore, neither Bull, nor Munson, nor Raytheon, teach or suggest, either alone or in any reasonable combination, all the recitations of Applicant’s new independent claim 41. Therefore, new independent claim 41 is nonobvious over Bull, Munson, and Raytheon. Claims 42-49, which depend from nonobvious new independent claim 41, are allowable by virtue of their dependence, as well as by virtue of reciting additional subject matter not taught or suggested by the cited references.

New independent claims 50 and 59, although of different scope, include recitations similar to those of new independent claim 41. For at least the same reasons as set forth above in connection with new independent claim 41, new independent claims 50 and 59 are also nonobvious over Bull, Munson, and Raytheon. Claims 51-58, which depend from nonobvious new independent claim 50, are allowable by virtue of their dependence, as well as by virtue of reciting additional subject matter not taught or suggested by the cited references.

For these foregoing reasons, Bull, Munson, and Raytheon fail to render new claims 41-59 obvious under § 103(a). Therefore, Applicant respectfully requests allowance of pending claims 41-59.

III. Conclusion

In view of the foregoing amendments and remarks, Applicant respectfully requests reconsideration of this application and the timely allowance of the pending claims.

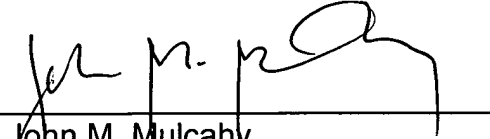
The Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicant declines to automatically subscribe to any statement or characterization in the Office Action.

Please grant any extensions of time required to enter this response and charge any additional required fees to our Deposit Account No. 06-0916.

Respectfully submitted,

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Dated: April 7, 2010

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